

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

EFRAIN RODRIGUEZ OSORIO
LILLIAM CUMBA SANTANA
DEBTOR(S)

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CASE NO. 12-00493-MCF

CHAPTER 13

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN

TO THE HONORABLE COURT:

NOW COME, EFRAIN RODRIGUEZ OSORIO and LILLIAM CUMBA SANTANA, through the undersigned attorney, and very respectfully state and pray as follows:

1. Debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated July 24, 2012, herewith and attached to this motion.
2. This Post-confirmation Modification of Chapter 13 Plan is filed to provide for the secured creditor CRIM.

NOTICE

Within twenty one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtors, Efrain Rodriguez Osorio and Lilliam Cumba Santana; and to all creditors and parties in interest in the present case.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 24th day of July, 2012.

/s/ Roberto Figueroa Carrasquilla
ROBERTO FIGUEROA-CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONERS
PO BOX 193677
SAN JUAN PR 00919-3677
TEL NO (787) 744-7699 FAX 746-5294
EMAIL: rfigueroa@rfclawpr.com

Document Page 2 of 3
United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 12-00493-13RODRIGUEZ OSORIO, EFRAIN & CUMBA SANTANA, LILLIAMChapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: 7/24/2012☐ AMENDED PLAN DATED: _____☐ PRE ☒ POST-CONFIRMATIONFiled by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

II. DISBURSEMENT SCHEDULE

\$ 600.00 x 60 = \$ 36,000.00
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____
 \$ _____ x _____ = \$ _____

TOTAL: \$ 36,000.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
 within _____ with proceeds to come from:

☐ Sale of Property identified as follows:☐ Other:

Periodic Payments to be made other than, and in
 addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 36,000.00

III. ATTORNEY'S FEES
 (Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
 Disclosure Statement: \$ 2,881.00

Signed: _____

Debtor

Joint Debtor

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.☒ Creditors having secured claims will retain their liens and shall be paid as follows:1. ☒ Trustee pays secured ARREARS:

Cr. SCOTIABANK7904 Cr. _____ Cr. _____
 # 1267904 # _____ # _____
 \$ 24,614.59 \$ _____ \$ _____

2. ☒ Trustee pays IN FULL Secured Claims:

Cr. CRIM Cr. _____ Cr. _____
 # 225-065-174-05-001 # _____ # _____
 \$ 2,662.34 \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:5. ☐ Other:6. ☒ Debtor otherwise maintains regular payments directly to:SCOTIABANK7904C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other: _____
☐ Paid 100% / ☐ Other: _____

Cr. _____ Cr. _____ Cr. _____
 # _____ # _____ # _____
 \$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

Priority Claim no. 9 (Hacienda): \$1,498.68

Debtor(s) consents to the LIFT of STAY in favor of Scotiabank (account no. 2842) claim no. 4.
*Trustee will not make any disbursements to creditor at Claim no. 4 (Scotiabank).

* "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds."

Late filed claims filed by creditors will receive no distribution.
 "Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.
 Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor R. Figueroa Carrasquillo Law OfficePhone: (787) 744-7699

RODRIGUEZ OSORIO, EFRAIN
LOMAS DEL SOL
53 CASIOPEA STREET
GURABO, PR 00778

PREFERRED HOME SERVICES
PO BOX 4069
BAYAMON, PR 00958-1069

CUMBA SANTANA, LILLIAM
LOMAS DEL SOL
53 CASIOPEA STREET
GURABO, PR 00778

SCOTIABANK2842
PO BOX 362649
SAN JUAN, PR 00936-2649

R. Figueroa Carrasquillo
Law Office
PO Box 193677
San Juan, PR 00919-3677

SCOTIABANK7904
PO BOX 362649
SAN JUAN, PR 00936-2649

AAA
PO Box 70101
San Juan, PR 00936-8101

USDOE/GLELSI
2401 INTERNATIONAL
MADISON, WI 53704-3121

BANCO POPULAR DE PR
PO BOX 363228
SAN JUAN, PR 00936-3228

VELMA E DIAZ CARRASQUILLO ESQ
PO BOX 361508
SAN JUAN, PR 00936-1508

CLARO
PO BOX 70366
SAN JUAN, PR 00936-8366

CRIM
PO BOX 195387
SAN JUAN, PR 00919-5387

FORD MOTOR CREDIT CO
PO BOX 364189
SAN JUAN, PR 00936-4189

HARVARD COLLECTION
SPRINT
4839 N ELSTON AVE
CHICAGO, IL 60630-2534

HOME DEPOT
PO BOX 103108
ROSWELL, GA 30076-9108